IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 1941 OF 2007

Dated : March 26, 2007

Between:

Illuri Venkateswarlu

Petitioner

AND

The Station House Officer,
Machavaram Police Station,
Machavaram, Krishna District and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 1941 OF 2007

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.APPA RAO)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This is a taken up writ petition on the basis of the letter dated 22.01.2007 addressed by the petitioner, alleging that his son by name Illuri Srinivas, who was taking long term coaching in Nalanda College, Mogalrajupurm, Vijayawada, was missing from 23.12.2005 and his whereabouts are not known and inspite of reporting the matter to the police against the Management of the College, no action had been taken.

3. It is represented that earlier mother of the alleged missing boy by name Smt. Illuri Ramanamma filed Writ Petition No. 8886 of 2006, alleging that inspite of report to the police, the police have not taken any action and a learned Single Judge of this court by order dated 09.10.2006 dismissed the writ petition observing that the police have already registered a case in Cr. No. 76 of 2005 and the investigation therein was in progress.

4. The Inspector of Police, Machavaram Police Station, filed counter affidavit stating that the son of the petitioner by name Illuri Srinivas, who was taking EAMCET coaching in Nalanda College, had committed

suicide and on a report, a case in Cr. No. 76 of 2005 was registered and investigation was taken up. It is further stated that 27 witnesses were examined and the Medical Officer, who conducted autopsy over the dead body of the deceased, opined that the boy died of asphyxia due to drowning.

5. It is further stated in the counter affidavit that subsequent to the filing of counter, final investigation report was submitted before the Mandal Executive Magistrate, Thullur, on 12.3.2007 and the case was closed it as a suicide case. The Final Report was accordingly recorded.

6. In pursuance of the direction of this court, the police produced case diary before this court. We have perused the same. In the light of the investigation conducted by the police and in view of the fact that final report is submitted on 12.3.2007 stating that the boy died of asphyxia due to drowning, there is nothing to suspect against the Management of the college.

7. In view of these facts, we do not find any merit in the allegations leveled in the writ petition. The writ petition fails and is accordingly dismissed at the stage of admission. However, there shall be no order as to costs.

D.S.R.Varma, J.

D.Appa Rao, J.

March 26, 2007
MAS